

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF NEW YORK**

SEOUL SEMICONDUCTOR CO., LTD.,
and SEOUL VIOSYS CO., LTD.,

Plaintiffs / Counter-Defendants,

-v-

SATCO PRODUCTS, INC.,

Defendant/Counter-Plaintiff.

Case No. 1:19-cv-06719 (MKB/ST)

**COUNTER-DEFENDANTS' ANSWER
AND AFFIRMATIVE DEFENSES TO
COUNTER-PLAINTIFF'S
COUNTERCLAIMS**

Counter-Defendants Seoul Semiconductor Co., Ltd. ("Seoul Semiconductor") and Seoul Viosys Co., Ltd. ("Seoul Viosys") (collectively "Counter-Defendants") hereby respond to the Counterclaims of Counter-Plaintiff Satco Products, Inc. ("Satco"). The numbered paragraphs below correspond to the numbered paragraphs of the Counterclaims. Any allegations or averments not specifically admitted herein are denied.

Parties¹

1. Counter-Defendants admit the allegations in paragraph 1 of the Counterclaims.
2. Counter-Defendants admit the allegations in paragraph 2 of the Counterclaims.
3. Counter-Defendants admit the allegations in paragraph 3 of the Counterclaims.

¹ To facilitate the Court's comparison of the Counterclaims and Answer, Counter-Defendants have incorporated the headings from the Counterclaims. The use of these headings should not be interpreted as an admission that Counter-Defendants agree with the headings, and Counter-Defendants reserve their right to object to the headings and their implications.

Jurisdiction and Venue

4. Counter-Defendants admit that the Counterclaims purport to allege an action under the Declaratory Judgment Act, Title 28 United States Code, and that, through its Counterclaims, seeks relief authorized under the Declaratory Judgment Act. Counter-Defendants deny the remaining allegations of paragraph 4 of the Counterclaims.

5. Counter-Defendants admit that the Court has personal jurisdiction over Counter-Defendants and deny the remaining allegations of paragraph 5 of the Counterclaims.

6. Counter-Defendants admit that venue would be proper in the judicial district where the Counter-Plaintiff is located. Counter-Defendants deny the remaining allegations of paragraph 6 of the Counterclaims.

Background

7. Counter-Defendants admit the allegations in paragraph 7 of the Counterclaims.
8. Counter-Defendants admit the allegations in paragraph 8 of the Counterclaims.
9. Counter-Defendants admit the allegations in paragraph 9 of the Counterclaims.
10. Counter-Defendants admit the allegations in paragraph 10 of the Counterclaims.
11. Counter-Defendants admit the allegations in paragraph 11 of the Counterclaims.
12. Counter-Defendants admit the allegations in paragraph 12 of the Counterclaims.
13. Counter-Defendants admit the allegations in paragraph 13 of the Counterclaims.
14. Counter-Defendants admit the allegations in paragraph 14 of the Counterclaims.
15. Counter-Defendants admit the allegations in paragraph 15 of the Counterclaims.
16. Counter-Defendants admit the allegations in paragraph 16 of the Counterclaims.
17. Counter-Defendants admit the allegations in paragraph 17 of the Counterclaims.
18. Counter-Defendants admit the allegations in paragraph 18 of the Counterclaims.

COUNT I

Declaratory Judgment of Invalidity of the '489 patent

19. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-18 of the Counterclaims as though fully set forth herein.
20. Counter-Defendants deny the allegations in paragraph 20 of the Counterclaims.
21. Counter-Defendants deny the allegations in paragraph 21 of the Counterclaims.
22. Counter-Defendants deny the allegations in paragraph 22 of the Counterclaims.

COUNT II

Declaratory Judgment of Non-Infringement of the '489 patent

23. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-22 of the Counterclaims as though fully set forth herein.
24. Counter-Defendants deny the allegations in paragraph 24 of the Counterclaims.
25. Counter-Defendants deny the allegations in paragraph 25 of the Counterclaims.

COUNT III

Declaratory Judgment of Invalidity of the '098 patent

26. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-25 of the Counterclaims as though fully set forth herein.
27. Counter-Defendants deny the allegations in paragraph 27 of the Counterclaims.
28. Counter-Defendants deny the allegations in paragraph 28 of the Counterclaims.
29. Counter-Defendants deny the allegations in paragraph 29 of the Counterclaims.

COUNT IV

Declaratory Judgment of Non-Infringement of the '098 patent

30. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-29 of the Counterclaims as though fully set forth herein.

31. Counter-Defendants deny the allegations in paragraph 31 of the Counterclaims.

32. Counter-Defendants deny the allegations in paragraph 32 of the Counterclaims.

COUNT V

Declaratory Judgment of Invalidity of the '031 patent

33. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-32 of the Counterclaims as though fully set forth herein.

34. Counter-Defendants deny the allegations in paragraph 34 of the Counterclaims.

35. Counter-Defendants deny the allegations in paragraph 35 of the Counterclaims.

36. Counter-Defendants deny the allegations in paragraph 36 of the Counterclaims.

COUNT VI

Declaratory Judgment of Non-Infringement of the '031 patent

37. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-36 of the Counterclaims as though fully set forth herein.

38. Counter-Defendants deny the allegations in paragraph 38 of the Counterclaims.

39. Counter-Defendants deny the allegations in paragraph 39 of the Counterclaims.

COUNT VII

Declaratory Judgment of Invalidity of the '575 patent

40. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-39 of the Counterclaims as though fully set forth herein.

41. Counter-Defendants deny the allegations in paragraph 41 of the Counterclaims.

42. Counter-Defendants deny the allegations in paragraph 42 of the Counterclaims.

43. Counter-Defendants deny the allegations in paragraph 43 of the Counterclaims.

COUNT VIII

Declaratory Judgment of Non-Infringement of the '575 patent

44. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-43 of the Counterclaims as though fully set forth herein.

45. Counter-Defendants deny the allegations in paragraph 45 of the Counterclaims.

46. Counter-Defendants deny the allegations in paragraph 46 of the Counterclaims.

COUNT IX

Declaratory Judgment of Invalidity of the '476 patent

47. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-47 of the Counterclaims as though fully set forth herein.

48. Counter-Defendants deny the allegations in paragraph 48 of the Counterclaims.

49. Counter-Defendants deny the allegations in paragraph 49 of the Counterclaims.

50. Counter-Defendants deny the allegations in paragraph 50 of the Counterclaims.

COUNT X

Declaratory Judgment of Non-Infringement of the '476 patent

51. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-50 of the Counterclaims as though fully set forth herein.

52. Counter-Defendants deny the allegations in paragraph 52 of the Counterclaims.

53. Counter-Defendants deny the allegations in paragraph 53 of the Counterclaims.

COUNT XI

Declaratory Judgment of Invalidity of the '020 patent

54. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-53 of the Counterclaims as though fully set forth herein.

55. Counter-Defendants deny the allegations in paragraph 55 of the Counterclaims.

56. Counter-Defendants deny the allegations in paragraph 56 of the Counterclaims.

57. Counter-Defendants deny the allegations in paragraph 57 of the Counterclaims.

COUNT XII

Declaratory Judgment of Non-Infringement of the '020 patent

58. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-57 of the Counterclaims as though fully set forth herein.

59. Counter-Defendants deny the allegations in paragraph 59 of the Counterclaims.

60. Counter-Defendants deny the allegations in paragraph 60 of the Counterclaims.

COUNT XIII

Declaratory Judgment of Invalidity of the '533 patent

61. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-60 of the Counterclaims as though fully set forth herein.

62. Counter-Defendants deny the allegations in paragraph 62 of the Counterclaims.

63. Counter-Defendants deny the allegations in paragraph 63 of the Counterclaims.

64. Counter-Defendants deny the allegations in paragraph 64 of the Counterclaims.

COUNT XIV

Declaratory Judgment of Non-Infringement of the '533 patent

65. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-64 of the Counterclaims as though fully set forth herein.

66. Counter-Defendants deny the allegations in paragraph 66 of the Counterclaims.

67. Counter-Defendants deny the allegations in paragraph 67 of the Counterclaims.

COUNT XV

Declaratory Judgment of Invalidity of the '626 patent

68. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-67 of the Counterclaims as though fully set forth herein.

69. Counter-Defendants deny the allegations in paragraph 69 of the Counterclaims.

70. Counter-Defendants deny the allegations in paragraph 70 of the Counterclaims.

71. Counter-Defendants deny the allegations in paragraph 71 of the Counterclaims.

COUNT XVI

Declaratory Judgment of Non-Infringement of the '626 patent

72. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-71 of the Counterclaims as though fully set forth herein.

73. Counter-Defendants deny the allegations in paragraph 73 of the Counterclaims.

74. Counter-Defendants deny the allegations in paragraph 74 of the Counterclaims.

COUNT XVII

Declaratory Judgment of Invalidity of the '868 patent

75. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-74 of the Counterclaims as though fully set forth herein.

76. Counter-Defendants deny the allegations in paragraph 76 of the Counterclaims.

77. Counter-Defendants deny the allegations in paragraph 77 of the Counterclaims.

COUNT XVIII

Declaratory Judgment of Non-Infringement of the '868 patent

78. Counter-Defendants repeat and re-allege each and every response to the allegations in paragraphs 1-77 of the Counterclaims as though fully set forth herein.

79. Counter-Defendants deny the allegations in paragraph 79 of the Counterclaims.

80. Counter-Defendants deny the allegations in paragraph 80 of the Counterclaims.

81. Counter-Defendants deny the allegations in paragraph 81 of the Counterclaims.

ANSWER TO REQUEST FOR RELIEF

To the extent that a response to Counter-Plaintiff's request for relief is required, Counter-Defendants deny that Counter-Plaintiff is entitled to any relief or judgment against Counter-Defendants. Counter-Defendants respectfully request that the Court deny the same.

AFFIRMATIVE DEFENSES

Without admitting or acknowledging that it bears the burden of proof as to any of them, Counter-Defendants assert the following defenses. Counter-Defendants reserve the right to amend and supplement their Answer as further information becomes available.

FIRST AFFIRMATIVE DEFENSE

Counter-Plaintiff's claims for relief fail to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Any purported claim by Counter-Plaintiff for equitable relief is barred by the doctrine of unclean hands, laches, waiver, and/or estoppel.

THIRD AFFIRMATIVE DEFENSE

Counter-Plaintiff's claims fail in whole or part to the extent Counter-Plaintiff has suffered no damages.

FOURTH AFFIRMATIVE DEFENSE

Counter-Defendants acted in good faith in all activities relevant to this action, thereby precluding Counter-Plaintiff from recovering its reasonable attorneys' fees and/or costs under 35 U.S.C. § 285, even if Counter-Plaintiff prevails.

FIFTH AFFIRMATIVE DEFENSE

Counter-Defendants reserve the right to present any additional defenses that may be revealed during discovery.

Dated: February 20, 2020
New York, New York.

Respectfully submitted,

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